

PHILLIP A. TALBERT
Acting United States Attorney
ROBERT J. ARTUZ
Special Assistant U.S. Attorney
501 I Street, Suite 10-100
Sacramento, CA 95814
Telephone: (916) 554-2700
Facsimile: (916) 554-2900

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

RICHARD BELDON WATERS III,

Defendant.

CASE NO. 2:20-MJ-0174-KJN

STIPULATION FOR EXTENSION OF TIME FOR
PRELIMINARY HEARING PURSUANT TO RULE
5.1(D) AND EXCLUSION OF TIME AND
[PROPOSED] FINDINGS AND ORDER

DATE: April 27, 2021
TIME: 2:00 p.m.
COURT: Hon. Allison Claire

Plaintiff United States of America, by and through its attorney of record, Special Assistant U.S. Attorney ROBERT J. ARTUZ, and Defendant RICHARD BELDON WATERS III, both individually and by and through his counsel of record, JENNIFER MOUZIS, hereby stipulate as follows:

1. The Complaint in this case was filed on November 6, 2020, charging Waters with one count of conspiracy to commit offenses against the United States, in violation of 18 U.S.C. § 371. Waters first appeared before a judicial officer of the Northern District of California on or about December 17, 2020, and was detained. He then first appeared in this district on April 13, 2021, where the Complaint is pending. The Court set a preliminary hearing date of April 27, 2021. ECF 21.

By this stipulation, the parties jointly move for an extension of time of the preliminary hearing date to May 28, 2021, at 2:00 p.m., before the duty Magistrate Judge, pursuant to Rule 5.1(d) of the Federal Rules of Criminal Procedure. The parties stipulate that the delay is required to allow the defense reasonable time for preparation, and for the government's collection and production of discovery and

continuing investigation of the case. For example, a protective order for production of discovery has not yet been issued, and the government is preparing to produce discovery relevant to this case. Defense counsel needs time to review and consider all the evidence and to conduct further investigation. The parties further agree that the interests of justice served by granting this continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

2. The parties agree that good cause exists for the extension of time, and that the extension of time would not adversely affect the public interest in the prompt disposition of criminal cases. Therefore, the parties request that the time between April 27, 2021, and May 28, 2021, be excluded pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv), Local Code T-4.

IT IS SO STIPULATED.

Dated: April 20, 2021

PHILLIP A. TALBERT
Acting United States Attorney

/s/ ROBERT J. ARTUZ
ROBERT J. ARTUZ
Special Assistant U.S. Attorney

Dated: April 20, 2021

/s/ Jennifer Mouzis
JENNIFER MOUZIS
Counsel for Defendant
RICHARD BELDON WATERS III

McGREGOR W. SCOTT
United States Attorney
ROBERT J. ARTUZ
Special Assistant U.S. Attorney
501 I Street, Suite 10-100
Sacramento, CA 95814
Telephone: (916) 554-2700
Facsimile: (916) 554-2900

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RICHARD BELDON WATERS III,

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CASE NO. 2:20-MJ-0174-KJN

~~[PROPOSED]~~ FINDINGS AND ORDER
EXTENDING TIME FOR PRELIMINARY
HEARING PURSUANT TO RULE 5.1(d) AND
EXCLUDING TIME

DATE: April 27, 2021
TIME: 2:00 p.m.
COURT: Hon. Allison Claire

The Court has read and considered the Stipulation for Extension of Time for Preliminary Hearing Pursuant to Rule 5.1(d) and Exclusion of Time, filed by the parties in this matter on April 20, 2021. The Court hereby finds that the Stipulation, which this Court incorporates by reference into this Order, demonstrates good cause for an extension of time for the preliminary hearing date pursuant to Rule 5.1(d) of the Federal Rules of Criminal Procedure.

Furthermore, for the reasons set forth in the parties' stipulation, the Court finds that the interests of justice served by granting this continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). The Court further finds that the extension of time would not adversely affect the public interest in the prompt disposition of criminal cases.

THEREFORE, FOR GOOD CAUSE SHOWN:

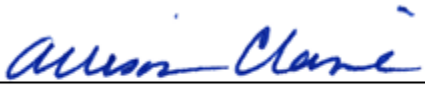
1. The date of the preliminary hearing is extended to May 28, 2021, at 2:00 p.m.

2. The time between April 27, 2021, and May 28, 2021, shall be excluded from calculation pursuant to 18 U.S.C. § 3161(h)(7)(A).

3. Defendants shall appear at that date and time before the Magistrate Judge on duty.

IT IS SO ORDERED.

DATED: April 20, 2021


ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE